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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,) No. CR11-00478 (LB)
Plaintiff,)
v.)
JARIN DEONTA OLIVER,)
Defendant.)
[PROPOSED] ORDER DETAINING
DEFENDANT PENDING TRIAL

I. DETENTION ORDER

Defendant Jarin Deonta Oliver is charged in a one-count indictment with being a Felon in Possession of a Firearm and Ammunition, in violation of 18 U.S.C. § 922(g). On August 26, 2011, the United States moved for the defendant's detention pursuant to 18 U.S.C. § 3142(f)(2)(A), and subsequently asked for a detention hearing pursuant to 18 U.S.C. § 3142(f). Following detention proceedings on August 31 and September 8, 2011, under 18 U.S.C. § 3142(f), and considering the parties' proffer and the factors set forth in section 3142(g), the Court finds that on this record no condition or combination of conditions in section 3142(c) will reasonably assure the defendant's appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d 1403, 1406 (9th Cir. 1985).

At the hearing, the defendant submitted regarding the issue of detention but reserved his right to present information at a future bail hearing should his circumstances change. *See* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing to, with the assistance of counsel, testify, present witnesses, cross-examine adverse witnesses, and present information by proffer or otherwise).

III. CONCLUSION

The Court detains the defendant as a serious flight risk and because no condition, or combination of conditions, could assure the defendant's appearance in this case, and orders that time be excluded under the Speedy Trial Act as set forth above. Because the defendant waived his right to present information under 18 U.S.C. § 3142(f) without prejudice to his raising any relevant information at a later hearing, the Court orders that the hearing may be reopened at the defendant's request at a future time.

The Court orders that the defendant be committed to the custody of the Attorney General or a designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or held in custody pending appeal. *See* 18 U.S.C. § 3142(i)(2). The defendant must be afforded a reasonable opportunity to consult privately with counsel. *See id.* § 3142(i)(3). On order of a court of the United States or on request of an attorney for the United States, the person in charge of the corrections facility must deliver the defendant to the United States Marshal for a court appearance. *See id.* § 3142(i)(4).

IT IS SO ORDERED.

DATED: September 12, 2011

LB
LAUREL BEELER
United States Magistrate Judge